

Amendments to the Drawings

The attached sheet of drawings includes changes to Figure 4. This sheet replaces the original sheet of drawings.

Attachment: Replacement Sheet

Remarks

Reconsideration of the application is respectfully requested in view of the foregoing amendments and following remarks. Claims 1, 3-6, 8-46, and 48-50 are pending in the application. Claims 11-23 and 32-45 have been allowed. Claims 2, 7, and 47 have been canceled without disclaimer and without prejudice to pursuing in a continuing application.

Telephonic Interview

Applicant wishes to thank the Examiner for replying to a request for a telephonic Examiner Interview on March 4, 2008. In a message, the Examiner indicated that Claims 47-50 do not have a prior art rejection, and would be allowable but for their §101 rejection and their dependence upon a rejected independent claim.

Amendment to the Drawings

Applicant has amended Figure 4 and Figure is attached. No new matter is added thereby.

Objections to Claims 30 and 31

Claims 30 and 31 have been amended without internal reference to other claims. Applicants, thus, respectfully request withdrawal of this objection.

Claim Rejections under 35 USC § 112

In the Office action mailed December 4, 2007 ("Action"), claims 26-29 are rejected under the second paragraph of 35 U.S.C. § 112, as indefinite. Claims 26-29 have been amended in the manner kindly suggested by the Examiner. Applicants, thus, respectfully request withdrawal of this objection.

Claim Rejection under 35 USC § 101

The Action rejects claims 24-29 and 46-50 under 35 U.S.C. § 101, as directed to non-statutory subject matter. Applicant respectfully disagrees with the Examiner's characterization of the claims and relevant law, and believes that the claims in their previous state satisfied 35

USC § 101. Nevertheless, Applicant has amended the above-rejected claims in an effort to expedite prosecution.

Specifically, the language “*outputting the first part of the signal, the pseudo-time domain signal and the second part of the signal to a bitstream to produce encoded frames*” has been added to claim 24. Outputting the signals to a bitstream is directed to a practical application—the production of encoded frames.

For claim 46, the language “audio” has been appended to “input signal” as kindly suggested by the Examiner.

Applicants respectfully submit that Claims 24, and 46, as amended, are directed to statutory subject matter and request that the rejection under 35 U.S.C. § 101 be withdrawn.

Claims 25-29 and 48-50 depend on claim 24 or 46 and at least for that reason should also not be subject to a 35 U.S.C. § 101 rejection.

Allowable Subject Matter

In the Office action mailed December 4, 2007 (“Action”), the Office rejects claims 1, 3-5, 7-11, 13-19, 21, 23-27 and 30-34. The Office rejects claims 1, 6, and 46 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,675,148 to Hardwick (Hardwick) in view of Hans et al., “Lossless Compression of Digital Audio,” *IEEE Signal Processing Magazine*, Vol. 18, No. 4, pp. 21-32, July 2001 (Hans). The Applicants respectfully disagree with the rejections, but are amending the claims to expedite prosecution.

In the Action, the Office indicates that claims 11 -23, and 32-45 are allowed.

The Office indicates that claims 2 to 5 and 7 to 10 are allowable if rewritten in independent form including all limitations of their base claim 1. Claim 1 has been rewritten to include all of the limitations of claim 2. Claim 1 should therefore be considered allowable. Claims 3 and 4 should be allowable as they depend from allowable claim 1.

Claim 5 has been rewritten to include all of the limitations of its base claim, claim 1. Claim 5 should therefore be considered allowable.

Independent claim 6 has been rewritten to include all of the limitations of claim 7. Claim 6 should therefore be considered allowable. Claims 8 and 9 should be allowable as they depend from allowable claim 6.

Claim 10 has been rewritten to include all of the limitations of its base claim 6. Claim 10 should therefore be considered allowable.

Claim 46 has been rewritten to include language (from claim 47) that was highlighted in the section entitled, "Allowable Subject Matter." (Action, page 8.) Claim 46 should therefore be considered allowable. Claims 48-50 depend from allowable claim 46 and should therefore be considered allowable.

Request for Interview

If any issues remain, the Examiner is formally requested to contact the undersigned attorney prior to issuance of the next Office Action in order to arrange a telephonic interview. It is believed that a brief discussion of the merits of the present application may expedite prosecution. Applicants submit the foregoing formal Amendment so that the Examiner may fully evaluate Applicants' position, thereby enabling the interview to be more focused.

This request is being submitted under MPEP § 713.01, which indicates that an interview may be arranged in advance by a written request.

Conclusion

The claims in their present form should now be allowable. Such action is respectfully requested.

Respectfully submitted,

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